



**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)  
DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IMPROVED TRACK SYSTEM FOR TOW-LINE CONVEYORS**, the specification of which:

- \_\_\_\_\_ (a) is attached hereto.  
X (b) was filed on July 29, 2003 as Application Serial No. 10/631,044 and was amended on \_\_\_\_\_ (if applicable)  
\_\_\_\_\_ (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).  
\_\_\_\_\_ (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.  
\_\_\_\_\_ (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 and/or § 365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day</u> <u>/Year Filed</u>	<u>Date first laid-</u> <u>open or Published</u>	<u>Date patented</u> <u>or Granted</u>	<u>Priority Claimed</u> <u>Yes No</u>
NONE					

I hereby claim the benefit under 35 U.S.C. § 119(e), § 120 and/or § 365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

NONE

(Application Serial No.)

(Filing Date)

(Status)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

PRIOR PROVISIONAL APPLICATIONS

NONE

(Application Serial No.)

(Filing Date)

(Status)

I hereby appoint:

ROBERT L. ABDON, Reg. No. 50,996  
TIMOTHY G. ACKERMANN, Reg. No. 44,493  
BENJAMIN J. BAI, Reg. No. 43,481  
JOSEPH M. BEAUCHAMP, Reg. No. 46544  
NORMA BENNETT, Reg. No. 51,229  
MICHAEL D. BERGER JR., Reg. No. 52,616  
MARY JO BOLDINGH, Reg. No. 34,713  
MARGARET A. BOULWARE, Reg. No. 28,708  
DANIEL J. BURNHAM, Reg. No. 39,618  
SORINEL CIMPOES, Reg. No. 48,311  
JASON W. COOK, Reg. No. 48,456  
ANDREW G. DINOVO, Reg. No. 40,115  
STUART D. DWORK, Reg. No. 31,103  
JANET M. GARETTO, Reg. No. 42,568  
MARK J. GATSCHET, Reg. No. 42,569  
JOHN C. GATZ, Reg. No. 41,774

RUSSELL J. GENET, Reg. No. 42,571  
ANIL V. GOLLAHALLI, Reg. No. 48,996  
LEKHA GOPALAKRISHNAN, Reg. No. 46,733  
STEVEN R. GREENFIELD, Reg. No. 38,166  
J. PAT HEPTIG, Reg. No. 40,643  
JOHN E. HYATT, Reg. No. 43,421  
SHARON A. ISRAEL, Reg. No. 41,867  
JOHN R. KIRK JR., Reg. No. 24,477  
PAUL R. KITCH, Reg. No. 38,206  
TIMOTHY M. KOWALSKI, Reg. No. 44,192  
HSIN-WEI LUANG, Reg. No. 44,213  
MICHAEL MADDOX, Reg. No. 47,764  
ROGER L. MAXWELL, Reg. No. 31,855  
LISA H. MEYERHOFF, Reg. No. 36,869  
ASHLEY N. MOORE, Reg. No. 51,667  
STANLEY R. MOORE, Reg. No. 26,958

DANIEL G. NGUYEN, Reg. No. 42,933  
CONSTANCE L. PIELECH, Reg. No. 46,991  
GREGORY PORTER, Reg. No. 40,131  
ROSS T. ROBINSON, Reg. No. 47,031  
STEPHEN G. RUDISILL, Reg. No. 20,087  
JERRY R. SELINGER, Reg. No. 26,582  
ZACHARY J. SMOLINSKI, Reg. No. 47,100  
JUSTIN SWINDELLS, Reg. No. 48,733  
STEVE Z. SZCZEPANSKI, Reg. No. 27,957  
ANDRE M. SZUWALSKI, Reg. No. 35,701  
ALAN R. THIELE, Reg. No. 30,694  
CYNTHIA K. THOMPSON, Reg. No. 48,655  
TAMSEN VALOIR, Reg. No. 41,417  
BRIAN D. WALKER, Reg. No. 37,751  
HAROLD N. WELLS, Reg. No. 26,044  
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 225 West Washington Street, Suite 2600, Chicago, IL 60606-3418, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Harold N. Wells, Esq.  
Jenkins & Gilchrist, P.C.  
225 West Washington Street  
Chicago, Illinois 60606-3418  
Telephone: 312-425-3900  
Facsimile: 312-425-3909

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAMED INVENTOR(S)**

1 Robert B. Karnes *Robert B. Karnes* 11/7/03  
**Full Name** **Inventor's Signature** **Date**

82 Town Line Drive, Hanover, MA 02339  
**Residence (city, state, country)**

United States  
**Citizenship**

Same as Residence  
**Post Office Address (include zip code)**

2 Richard C. Somerville *Richard C. Somerville* 11/7/03  
**Full Name** **Inventor's Signature** **Date**

344 Keene St., Duxbury MA 02332  
**Residence (city, state, country)**

United States  
**Citizenship**

Same as Residence  
**Post Office Address (include zip code)**

3 Brian C. Evans *Brian C. Evans* 11/7/03  
**Full Name** **Inventor's Signature** **Date**

12 Grasshopper Lane, Marshfield, MA 02050  
**Residence (city, state, country)**

United States  
**Citizenship**

Same as Residence  
**Post Office Address (include zip code)**